

**Senate Transportation and Safety Committee 1**

**Amendment No. 1 to SB0846**

**Tracy  
Signature of Sponsor**

**AMEND Senate Bill No. 846**

**House Bill No. 546\***

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-207, is amended by adding the following new subsections thereto:

(h) As used in this section, "electronic citation" means a traffic citation containing all the information required by subsections (b) and (g) of this section that is prepared by a law enforcement officer in an electronic data device with the intent that the data collected shall be filed electronically with a court having jurisdiction over the alleged offense.

(i) Replicas of citation data included in an electronic citation shall be sent by electronic transmission within three (3) days of the issuance of the citation to a court having jurisdiction over the alleged offense.

(j) Persons issued a citation pursuant to this section shall be provided with a copy of the citation. A law enforcement officer who files a citation electronically shall be considered to have certified the citation and has the same rights, responsibilities and liabilities as other citations issued pursuant to this section.

(k) Each court clerk with an automated citation system shall charge and collect an electronic citation fee of five dollars (\$5.00) for each conviction of an offense that is the basis for the citation. Such fee shall be paid by the defendant for any offense cited in an electronic traffic citation that results in a plea of guilty or nolo contendere, or a judgment of guilty. This fee shall be in addition to all other fees, taxes and charges. Such fee shall be assessable as court costs. One dollar (\$1.00) of such fee shall be retained

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by the court clerk. Four dollars (\$4.00) of such fee shall be transmitted on a monthly basis by the court clerk to the law enforcement agency which prepared the electronic traffic citation that resulted in a plea of guilty or nolo contendere, or a judgment of guilty.

(l) All funds derived from the electronic citation fee that are transmitted to the law enforcement agency which prepared the electronic traffic citation pursuant to subsection (k) shall be accounted for in a special revenue fund of such law enforcement agency and may be used only for the following purposes:

(i) Electronic citation system and program related expenditures; and

(ii) Technology, equipment, repairs, and training related expenditures by the local law enforcement agency.

(m) All funds derived from the electronic citation fee set aside for court clerks pursuant to subsection (k) shall be earmarked for the purposes set forth in § 8-21-401 (j)(1), shall be preserved for those purposes and shall not revert to the general fund at the end of a budget year if unexpended.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.